

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CORRADO FAMILY LP. D/B/A RIVERFOREST PARK
a New York Partnership,

Plaintiff,

v.

5:08-CV-0680 (NPM/GJD)

TERRY McCORMICK, D/B/A T.W.S. WEB SERVICE
an individual,

Defendant.

APPEARANCES:

CORRADO FAMILY LP.,
d/b/a RIVERFOREST PARK,
GERARD CORRADO,

Plaintiffs Pro Se

JAMES R. MULDOON, ESQ.
Marjama, Muldoon law Firm
250 South Clinton Street, Suite 300
Syracuse, NY 13202

For Defendant Terry McCormick

Neal P. McCurn, Senior United States District Judge

ORDER ON REPORT AND RECOMMENDATION

The plaintiff Limited Partnership, Corrado Family LP. brings this trademark infringement action (Lanham Act), alleging, inter alia, violations pursuant to 15 U.S.C. § 1125(a)(d), by defendant's use of false and misleading descriptions and representations of internet domain names in bad faith with the intent to profit from

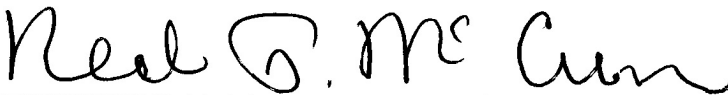
plaintiff's mark, and violations under New York common law and New York General Business Law, (Dkt. No. 1).

On October 6, 2009, Magistrate Judge Gustav J. DiBianco issued a well-researched and thoughtful Report and Recommendation ("Report-Rec") (Doc. No. 31) which detailed the extensive case history relating to entity-plaintiff's wish to appear *pro se* in this matter and recommended that this court dismiss this case without prejudice case for failure of the entity-plaintiff to obtain representation.

Upon careful review of both Magistrate Judge DiBianco's Report-Recommendation (Doc. No. 31) and with no objections thereto, the recommended ruling is hereby APPROVED and ADOPTED. The Clerk is directed to close this case.

SO ORDERED.

November 2, 2009



Neal P. McCurn
Senior U.S. District Judge